

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA,	:	Civil Action No.: 3:11-CV-89
	:	
Plaintiff,	:	Judge Thomas M. Rose
	:	
vs.	:	
	:	
PANDORA JEAN ZAN, ET AL.,	:	
	:	
Defendants	:	

**DECISION AND ORDER GRANTING DEFENDANT/CROSS-PLAINTIFF ADRIAN
ZAN’S MOTION FOR SUMMARY JUDGMENT**

On March 28, 2012, Defendant/Cross-Plaintiff Adrian Zan (“Adrian Zan”) filed a Motion for Summary Judgment (the “Motion”) against Defendant Pandora Jean Zan. The Court finds the Motion to be well-taken, and hereby grants the Motion in its entirety. Also, due to the settlement agreement reached between Adrian Zan and Defendant Routsong Funeral Home (“Routsong”), the Court further finds that all claims, rights, and/or liabilities of all parties have been adjudicated.

Accordingly, it is hereby **ORDERED**:

(1) That pursuant to Fed. R. Civ. P. 22 and 67, as well as 28 U.S.C. §§ 2041-2042, and Local Rule, and subject to the impoundment of Court costs, the Clerk shall release all funds interpled by The Prudential Insurance Company of America. Such funds are receipted as Receipt Numbers 300DAY008834 (the “SGLI Plan Proceeds”) and 300DAY008835 (the “Group Plan Proceeds”), and shall be paid in the following manner:

(a) With respect to the Group Plan Proceeds and accrued interest due and payable to Defendant Charles Ernst Zan (“Charles Ernst Zan”), the Clerk shall issue a check payable to Charles Ernst Zan for exactly one half of the Group Plan Proceeds and accrued interest, less \$6,156.45, and transmit the check to Charles Ernst Zan at Mitterkreith 1, 93176 Beratzhausen, Germany.

As to the residual \$6,156.45, and in satisfaction of Charles Ernst Zan's agreement to pay Routsong one half of the outstanding balance owed for funeral services rendered to Charles Steven Zan, II, the Clerk shall issue a check made payable to Routsong Funeral Home in the amount of \$6,156.45, which shall be transmitted to counsel of record for Routsong.

(b) The Clerk shall further issue a check for the remaining one half of Group Plan Proceeds and accrued interest, less \$4,000.00. This check shall be made payable to Adrian Zan and his attorney, Sam G. Caras Co., L.P.A., and forwarded to Mr. Zan's counsel of record.

As a result of the settlement agreement reached between Adrian Zan and Routsong, the Clerk shall issue a check made payable to Routsong Funeral Home in the amount of \$4,000.00, which shall be transmitted to counsel of record for Routsong.

(c) The Clerk shall also issue a check for the entire amount of SGLI Plan Proceeds and accrued interest, made payable to Adrian Zan and his attorney, Sam G. Caras Co., L.P.A. This check shall be forwarded to Mr. Zan's counsel of record.

SO ORDERED

Date

July 10, 2012

s/Thomas M. Rose

Judge Thomas M. Rose

UNITED STATES DISTRICT JUDGE